

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-AB40)**

Received: **5/24/2013** Received By: **agary**  
Wanted: **As time permits** Same as LRB:  
For: **Legislative Fiscal Bureau** By/Representing: **Dyck**  
May Contact: Drafter: **agary**  
Subject: **Transportation - highways** Addl. Drafters:  
Extra Copies: **EVM**

Submit via email: **YES**  
Requester's email: **Legislative Fiscal Bureau**  
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

LFB:.....Dyck -

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**Topic:**

Motion 431, item 29., regulation of golf carts by municipalities and counties

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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/P1	agary	1/p1 eev 5/28/13	5/29 ph	ph/ger			

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<END>

specify that, for the purposes of determining eligibility for the "food" category under the specific information sign program, bakery items produced by the retailer shall be counted toward the types of food that are counted towards the 50% minimum of food sales that an establishment must have to qualify for placement of a sign.

26. *Environmental Impact Statement for East Arterial Highway and Bridge.* Require the Department of Transportation to begin an environmental impact statement (EIS) in the 2013-15 biennium for a proposed east arterial highway running from the intersection of STH 54 and STH 73 in Port Edwards to the intersection of STH 54 and Wood County CTH W in Wisconsin Rapids, including a new crossing of the Wisconsin River. Require the Department to fund the EIS from the major highway development program and specify that the current law requirement that the Transportation Projects Commission provide prior approval of an EIS do not apply to this study.

27. *Environmental Impact Statement for USH 12 in Walworth County.* Require the Department of Transportation to begin an environmental impact statement (EIS) in the 2013-15 biennium for a proposed project on USH 12 from Elkhorn to Whitewater in Walworth County. Require the Department to fund the EIS from the major highway development program and specify that the current law requirement that the Transportation Projects Commission provide prior approval of an EIS do not apply to this study.

28. *Relocation of Outdoor Advertising Signs.* Modify current law provisions related to outdoor advertising signs that are classified as "nonconforming" with respect to a local ordinance and that are caused to be "realigned" as the result of a highway project, and that require local governments to make a payment to DOT equal to the cost of sign condemnation (minus relocation costs) in cases where the sign is condemned rather than realigned, as follows: (a) eliminate the term "realignment" (meaning the relocation of the sign on the same site) and replace it with the term "relocation," defined as the dismantling and moving of a sign to a new location within the same municipality or the removal of a sign and erection of a replacement sign, constructed of new materials, at a new location within the same municipality; (b) specify that the owner of a nonconforming sign that would be affected by a highway project may elect to relocate a sign within the municipality; (c) define the term "municipality" for the purpose of this provision, as a city, village, or town; and (d) specify that the relocation of a nonconforming sign (instead of, under current law, sign realignment) does not affect the sign's nonconforming status. Specify that if a highway project causes the relocation of a nonconforming sign, all of the following apply with respect to the relocation: (a) the size of the sign face and the number of sign faces on the sign after relocation shall be the same as prior to relocation; (b) the height of the sign, as measured from road-grade level of the highway from which motorists are intended to view the sign, after relocation shall be equal to or greater than prior to relocation; and (c) the new location for the sign shall meet all requirements for a sign permit, to the extent the Department issues permits for signs. Specify that these provisions first apply to signs relocated on the 30<sup>th</sup> day after the effective date of the bill.

29. *Regulation of Golf Carts by Municipalities and Counties.* Specify that a municipality or county may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the municipality or county, as applicable, regardless of whether the municipality or county has jurisdiction, for

maintenance purposes, over the highway. Specify that such an ordinance: (a) may not allow the operation of golf carts on or across any state trunk highway or connecting highway; and (b) may include a definition of the term "golf cart."

Note:

This motion adopts the administration's recommendations for addressing a projected deficit in the transportation fund, adopts other alternatives in the LFB Issue Papers, resulting in other appropriation reductions, and provides increases for the general transportation aid program (mileage aid rate) and the snowmobile account transfer. The following table shows the net fiscal impact on transportation fund appropriations associated with each item in this motion. The items are grouped by those included in the administration's deficit reduction plan, other appropriation reductions in LFB Issue Papers, and program funding increases.

Administration Deficit Plan	
Ryan Interchange Delay	-\$19,000,000
Zoo Interchange Adjustment	-14,000,000
State Highway Rehabilitation	-12,300,000
Major Highway Development	-7,300,000
Highway Maintenance	-2,500,000
Congestion Mitigation/Air Quality Improvement	-900,000
Fiscal Bureau Issue Paper Alternative	
Hoan Bridge Adjustment	-\$10,000,000
Program Funding Increases	
Manitowoc & Sheboygan County Grant	\$3,600,000
Mileage Aid Rate	1,400,000
Snowmobile Transfer	961,000
County General Transportation Aid	<u>567,700</u>
Net Appropriation Changes	-\$59,471,300

Based on reestimates and the Committee's earlier actions, the projected biennium-ending deficit in the transportation fund is estimated at -\$54,286,100. With the changes in this motion, the transportation fund would end the 2013-15 biennium with a positive, estimated balance of \$5,185,200.

[Change to Bill: -\$59,471,300 SEG (Transportation Fund), \$961,000 SEG (Conservation Fund), \$9,000,000 GPR, \$9,000,000 SEG-REV]



State of Wisconsin in  
2013 - 2014 LEGISLATURE

5/28



LRBb0210/P1

ARG:.....

Leev

LFB:.....Dyck - Motion 431, item 29., regulation of golf carts by  
municipalities and counties

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 937, line 3: after that line insert:

3 INSERT A

4 **2.** Page 937, line 11: after that line insert:

5 INSERT B

6 **3.** Page 938, line 19: after that line insert:

7 INSERT C

8 (END)

designated by DOT, over which the municipality is responsible for maintenance and traffic control.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2163g.

SECTION 1. 341.05 (24) of the statutes is amended to read:

341.05 (24) The vehicle is a golf cart being operated in accordance with s. 349.18 (1) (b) or (c) or (1m). "

2165g.

SECTION 2. 347.02 (1) (h) of the statutes is amended to read:

347.02 (1) (h) Golf carts operated in accordance with s. 349.18 (1) (b) or (c) or (1m). "

2175g.

SECTION 3. 349.18 (1m) of the statutes is created to read:

349.18 (1m) (a) Except as provided in par. (c), a municipality may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the municipality, regardless of whether the municipality has jurisdiction, for maintenance purposes, over the highway.

(b) Except as provided in par. (c), a county may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is under the jurisdiction, for maintenance purposes, of the county.

(c) An ordinance under this subsection may not allow the operation of golf carts on or across any state trunk highway or connecting highway.

(d) An ordinance under this subsection may include a definition of the term "golf cart."

(END)



State of Wisconsin  
2013 – 2014 LEGISLATURE



LRBb0210/P1  
ARG:eev:ph

LFB:.....Dyck – Motion 431, item 29., regulation of golf carts by municipalities and counties

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 937, line 3: after that line insert:

3 “**SECTION 2163g.** 341.05 (24) of the statutes is amended to read:

4 341.05 (24) The vehicle is a golf cart being operated in accordance with s.  
5 349.18 (1) (b) or (c) or (1m).”.

6 **2.** Page 937, line 11: after that line insert:

7 “**SECTION 2165t.** 347.02 (1) (h) of the statutes is amended to read:

8 347.02 (1) (h) Golf carts operated in accordance with s. 349.18 (1) (b) or (c) or  
9 (1m).”.

10 **3.** Page 938, line 19: after that line insert:

**“SECTION 2175g.** 349.18 (1m) of the statutes is created to read:

349.18 (**1m**) (a) Except as provided in par. (c), a municipality may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the municipality, regardless of whether the municipality has jurisdiction, for maintenance purposes, over the highway.

(b) Except as provided in par. (c), a county may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is under the jurisdiction, for maintenance purposes, of the county.

(c) An ordinance under this subsection may not allow the operation of golf carts on or across any state trunk highway or connecting highway.

(d) An ordinance under this subsection may include a definition of the term “golf cart.””.

**(END)**